IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

JOHN FIFE,)	
v.	Plaintiff,)	Case No: 07 C 6681
•	(Case 140: 07 C 0001
ALEX HAZAN,)	Honorable Charles P. Korocas
) D (1 /)	Magistrate Judge Denlow
	Defendant.)	
)	
)	•
		•

AFFIDAVIT OF E. TIMOTHY WALKER

- E. Timothy Walker, being first duly sworn on oath, deposes and states as follows:
- This affidavit is based upon my personal knowledge and if called to testify
 I would competently testify set forth herein.
- 2. I have been licensed to practice in the State of Illinois since November 8, 2007 and have been license in the state of Colorado since October 20, 2003. I am an associate in the law firm of Wildman, Harrold, Allen & Dixon LLP ("Wildman") and am one of the attorneys responsible for Wildman's representation of Plaintiff in this case.
- 3. I have been personally involved in this case, and am familiar with the costs and expenses incurred by the Plaintiff in this case, the legal services rendered and to be rendered to the Plaintiff, and the fair, usual and customary charges for such services. The present action involves defendant Alex Hazan's ("Hazan") default under a promissory note (the "Promissory Note"). The Promissory Note is attached to the Complaint at Ex. A to the Brief for Damages, Costs and Fees. Plaintiff has filed the above-captioned lawsuit because of Hazan's default and breach of the Promissory Note.

- 4. The Promissory Note provides that, in the event of a default by Hazan, Fife is entitled to "any reasonable legal fee and disbursements incurred by [Fife] in the enforcement or protection of any of his rights under any of this Note." (Brief for Damages, Costs, and Fees, Ex. A, Promissory Note ¶ 10(e)).
- 5. As of March 7, 2008, Fife has incurred a total of \$10,317.65 in attorneys' fees and costs in attempting to collect on the Promissory Note, in his filing of the Complaint, and in the motion for Default Judgment. The costs incurred by Fife relate to filing costs, the costs of service, and other costs incurred during the enforcement of the Promissory Note. These fees and costs are in addition to those invoiced by the Logan Law Firm.
- 6. Attached as Exhibit 1 to this Affidavit is a copy of the billing report showing the billed and unbilled fees and costs for services performed by Wildman and billed to Plaintiff with respect to this Action, commencing November 12, 2007 and continuing through March 7, 2008. These records were kept and maintained by Wildman in the regular course of its business, and it is the regular business practice of Wildman to keep and maintain such records. The information contained in this billing report was derived from Wildman's computer billing system. The information contained in that system is input into the system by Wildman employees whose job it is to input such information, shortly after the time of the occurrence, and is taken from timesheets prepared by the attorney or other billing person on or about the time of the occurrence, based upon their own personal knowledge. It is Wildman's policy and practice to input time and expense entries promptly after the time or expenses are incurred. The information contained in Wildman's computer system and set forth in the attached billing

report is made and maintained by Wildman in the regular course of its business, and it is the regular business practice of Wildman to keep and maintain such records.

7. These fees and costs have been reasonably incurred in the course of providing legal service with respect to the enforcement of the Promissory Note.

FURTHER AFFIANT SAYETH NOT.

E. Timothy Walker

Subscribed and sworn to before me this 1311/day

of March, 2009.

NOTARY PÚBĽIČ

"OFFICIAL SEAL"
CHRISTINE O. STRELZYK
Notary Public, State of Illinois
My Commission Expires Sept. 13, 2010

EXHIBIT 1

	(Cas	e 1:0)7-c\	/-06	681	Do	ocume	nt 14-2	Fil	ed 03/13	3/2008	Page	5 of 8
	/08	01/31/08	·	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		11 11 11 11 11 11	RUNNING	75	525	1,575	2,250	2,400	2,663	° 038
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	26 (RUN 03/12/08 JOINT GROUP #	BILLED 02/29/08 DATE	S: M ARRANG	1			ATTORNEY NAME	WALKER, TIM E.	WALKER, TIM E.	WALKER, TIM E.	WALKER, TIM E.	WALKER, TIM E.	WHITE, CRAIG M.	WALKER, TIM E.
	FLOOR #: PROFORMA :	LAST DATE BILL	TPT CACIL	, , , , , , , ,		11 12 13 14 14 15 15 16 17 18 18 18 18 18 18 18 18 18 18 18 18 18	ATTY NO.	1462	1462	1462	1462	1462	0147	1462
IXON	<u>ΈιΩ</u>	цţ	ካ	! ; ; ; ; !)	HOURS WORKED	0.25	1.50	3.50	2.25	0.50	0.50	1.25
WILDMAN, HARROLD, ALLEN & DIXON DETAILED BILLING REPORT	0241 ALAN B. ROTH MR. AND MRS. JOHN FIFE	JOHN	L LITIGATION 3521 COMMERCIAL LITIGATION	***AITORNEY TO AITORNEY***	63336	SERVICES***	DESCRIPTION OF PROFESSIONAL SERVICES	(Alex Hazan matter) Analyze promissory note and stock pledge agreement.	Draft complaint against Hazan relating to promissory note.	Draft complaint against Hazen relating to promissory note.	Draft complaint against Hazen relating to promissory note; draft correspondence to Mr. White discussing case strategy.	Draft complaint against Hazen relating to promissory note.	[Fife v. Hazan] Review and revise draft complaint; conference with Mr. Walker regarding proposed revisions.	Draft complaint against Hazen relating to breach of promissory note; draft summons for complaint for breach of contract; draft notice and waiver of summons; draft correspondence to Mr. Fife forwarding draft complaint for review and comment.
	ATTORNEY: F3115	F3115.00002	<u>.</u>		CONFLICT		DATE	11/12/07	11/13/07	11/14/07	11/15/07	11/16/07	11/19/07	11/19/07
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PROFORMA #

) F3115.00002

DATE: 03/12/08 PROFORMA STATEMENT AS OF 03/12/08 FOR FILE (F3115.00002

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INDEX	DATE	DESCRIPTION OF PROFESSIONAL SERVICES	HOURS WORKED	ATTY NO.	ATTORNEY NAME	TIME VALUE THIS PERIOD	RUNNING TOTAL
6099297	11/20/07	Draft complaint against Hazan relating to breach of promissory note; draft correspondence to Mr. Fife forwarding revised complaint for review and comment.	0.50	1462	WALKER, TIM E.	150.00	3,188
6130687	11/28/07	Draft summons and notice of appearance for Mr. White, draft notice of lawsuit and request for waiver to Mr. Hazen, prepare complaint and exhibits for filling of lawsuit against Mr. Hazen, draft correspondence to client discussing strategy and forwarding filed complaint.	2.25	1462	WALKER, TIM B.	675.00	
6130646	11/29/07	Draft letter to Mr. Hazen forwarding notice of lawsuit and waiver of summons.	0.25	1462	WALKER, TIM E.	75.00	3,938
6162567	12/31/07	Draft letter to process server relating to personal service on Mr. Hazan.	0.50	1462	WALKER, TIM E.	150.00	4,088
6179328	01/02/08	Draft letter to process server relating to personal service on Mr. Hazan; draft correspondence to client relating to service of process on Mr. Hazan.	0.50	1462	WALKER, TIM E.	162.50	4,250
6186110	01/11/08	Telephone conference with process server relating to status of service on Mr. Hazan.	0.25	1462	WALKER, TIM E.	81.25	4,331
6206852	01/29/08	Appearance in federal court for initial case status; case continued for status to 2/20/08; conference with Mr. Walker regarding default judgment motion.	1.50	0147	WHITE, CRAIG M.	825.00	5,156
6215117	02/03/08	Legal research relating to sufficiency of substituted service.	0.75	1462	WALKER, TIM E.	243.75	5,400
6215181	02/04/08	Draft motion for default judgment against Mr. Hazan.	1.25	1462	WALKER, TIM E.	406.25	5,806

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6215091	02/05/08	judgment against Mr.	1.25 14	01	WALKER, TIM E.	406.25	6,213
6215192	02/06/08	Draft motion for default judgment against Mr. Hazan, draft Notice of Motion for default judgment against Mr. Hazan.	1.50 14	1462 WA	WALKER, TIM E.	487.50	6,700
6215196	02/01/08	Draft notice of motion for default judgment.	0.50 14	1462 WA	WALKER, TIM E.	162.50	6,863
6215777	02/08/08	Draft motion for default judgment against Mr. Hazan, draft correspondence to client forwarding motion for default, draft letter to Mr. Hazan relating to motion for default.	0.50 14	1462 WA	WALKER, TIM E.	162.50	7,025
6229487	02/19/08	Preparation for hearing on February 20, 2008 relating to status of Complaint and motion for default judgment.	1.00 14	1462 WA	WALKER, TIM E.	.325.00	7,350
6229678	02/20/08	Preparation for hearing relating to status of Complaint and motion for default judgment, attend hearing in Federal District Court on status of Complaint and motion for default judgment, draft correspondence to client summarizing results of hearing.	2.25 114	1462 W	МА <u>Г</u> КЕВ, ТІМ Б.	731.25	8,081
6231496	02/22/08	Draft correspondence to client summarizing preparation of documentation; telephone conference with Mr. Sullivan relating to preparation of damages materials.	0.25 14	1462 WZ	WALKER, TIM E.	81.25	8,163
6251904	03/01/08	Draft submission paper to Court relating to damages, costs, and attorneys' fees; draft affidavit of Mr. Fife relating to damages and interest calculation; draft affidavit for counsel relating to attorneys' fees incurred in enforcement of promissory note.	. 25	1462 WZ	WALKER, TIM E.	1,056.25	9,219

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